

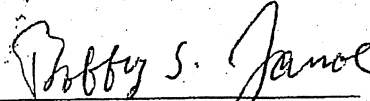
RECEIVED CAL APPEALS SEP 25 2006

RECEIVED CAL APPEALS SEP 29 2006

CAL A 0602524

RECEIVED CAL APPEALS OCT 06 2006

I declare under penalty of perjury under the laws of the state of California, the foregoing is true and correct. This declaration was executed on July 16, 2006, at calipatria California.


Bobby Shawn Janoe

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SCREENED OUT SEP 25 2006

SCREENED OUT SEP 29 2006

SCREENED OUT OCT 06 2006

00255

EXHIBIT

B

CAL A 0602524

RECEIVED CAL APPEALS SEP 25 2006

DECLARATION

RECEIVED CAL APPEALS SEP 29 2006

I, MARILYN JANOE, DO DECLARE THE FOLLOWING:

RECEIVED CAL APPEALS OCT 06 2006

RECEIVED CAL APPEALS OCT 20 2006

1. I do have personal knowledge of the facts stated herein, of Bret Harvey Janoe contacting Bobby Shawn Janoe in the months of April to May 2006, and could testify to there truth if called as a witness.

2. Approximately the second or thrid week of April 2006 as I talked with my son Brian scott Janoe he mentioned to me that he had ran into Bret Harvey Janoe's former wife; that he had went to talk with Bret; that Bret said he was doing good; that Bret was distressed to learn Bobby Shawn Janoe was in prison at calipatria State Prison; that Bret would try to send Bobby Shawn Janoe some funds when he could. I warned Brian to stay away from Bret as he could not be trusted. I told Brian the last time I had seen Bret was about 20 years ago, as he had stole some property from my house that belonged to me and some property that belonged to Bobby Shawn Janoe, and Bret disappeared.

3. Approximately the thrid week of April 2006 as I spoke to Bobby Shawn Janoe on the telephone, I mentioned that Brian had seen Bret and Bret said he was doing good and would try to send him some funds when he got a chance. Bobby Shawn Janoe was skeptical of Bret and really did not want to talk about Bret, as Bret had stolen his property 20 years earlier.

I declare under penalty of perjury under the laws of the state of California, the foregoing is true and correct. This declaration was executed on 7-18 2006 in Rialto California.

Marilyn Janoe
Marilyn Janoe

SCREENED OUT OCT 06 2006

SCREENED OUT SEP 25 2006
SCREENED OUT SEP 29 2006

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EXHIBIT

C

RECEIVED CAL APPEALS SEP 25 2006
 RECEIVED CAL APPEALS SEP 29 2006

CAL A 0602524

DECLARATION

2 I, BRIAN SCOTT JANOE DO DECLARE THE FOLLOWING:

3 1. I do have personal knowledge of the facts stated herein, of Bret
 4 Harvey Janoe contacting Bobby Shawn Janoe in the months of April
 5 to May 2006, and could testify to there truth if called as a
 6 witness.

7 2. Approximately the second week of April 2006, I ran into Bret's
 8 former wife by accident. I had not seen Bret in approximately
 9 20 years. Bret's former wife took me to see Bret. Upon meeting
 10 Bret, he stated to me that he was doing good and staying out of
 11 trouble. Bret asked about Bobby Shawn Janoe, as to how he was
 12 doing. Bret was distressed to learn Bobby Shawn Janoe was in
 13 prison at Calipatria state Prison. Bret stated to me that he
 14 would try to send Bobby Shawn Janoe some funds when he could.

15 3. To be honest, I did not believe Bret's comment's as we talked,
 16 but I wanted to believe he had changed for the better, and gave
 17 him the benefit of the doubt, as to there truthfulness.

18 4. In the next few days, as I saw my mother (Marilyn Janoe) I was
 19 talking with her and explained I had seen Bret and that he was

20 doing good; that he was distressed to learn Bobby Shawn Janoe was
 21 in prison; that Bret said he would try to sent Bobby Shawn Janoe
 22 some funds when he could. My mother was skeptical of Bret and
 23 really did not want anything to do with him. She warned me to
 24 stay away from Bret.

25
 26 I declare under penalty of perjury under the laws of the
 27 state of California, the foregoing is true and correct. This
 28 declaration was executed on 7-18 2006 in Rialto California.

SCREENED OUT Brian Scott Janoe

SCREENED OUT
 SCREENED OUT

SEP 25 2006
 SEP 29 2006

00259

EXHIBIT

D

CAL A 0602524
DEPARTMENT OF CORRECTIONS

STATE OF CALIFORNIA

RULES VIOLATION REPORT

804 TO RECORDS:

CDC NUMBER J-25333	INMATE NAME JANOE	RELEASE/BOARD DATE	INST CSP-CAL	HOUSING NO. A1-150	DOC NO. 07-06-A-005
VIOLATED RULE NO(S) CCP 115		SPECIFIC ACTS POSSESSION OF STOLEN PROPERTY		LOCATION A1-150	DATE 07/05/06
CIRCUMSTANCES RECEIVED CAL APPEALS OCT 06 2006		AND CHECK FRAUD		1000 HRS	

On Wednesday, July 5, 2006, Security and Investigations Unit concluded its investigation into numerous altered checks received at Calipatria State prison (CAL) for Inmate Janoe (J-25333, A1-150).

On Tuesday, June 13, 2006, at approximately 1000 hours, Security and Investigations (S&I) Officer #5 V. Canada received 2 separate original checks serial #146931907 for the amount of \$5,727.19 and serial #146931908 for the amount of \$5,190.87 from Calipatria State Prison (CAL) Inmate Trust Account Office Personnel. CAL Accounting Office received the checks on May 17, 2006 via United State Postal Services.

The checks were endorsed for payment to J. Robert West MD Inc, P.O. Box 2150, Redlands Ca. 92373-0701 with Inmate Janoe, J25333/A1-150 name and CDCR number typed in bold letters and underlined underneath the original endorsee. National Heritage Insurance Company (NHIC) generated the checks.

RVR continued on CDC-115 Part C

REPORTING EMPLOYEE (Typed Name and Signature) 	DATE 7/11/06	ASSIGNMENT S&I Officer #7	RDO'S Sun/Mon
REVIEWING SUPERVISOR'S SIGNATURE O. VALDEZ, Correctional Sergeant	DATE 7/12/06	<input type="checkbox"/> INMATE SEGREGATED PENDING HEARING	
CLASSIFIED <input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> SERIOUS	OFFENSE DIVISION 12C	DATE 7/12/06	CLASSIFIED BY (Typed Name and Signature)
HEARING REFERRED TO <input type="checkbox"/> HQ <input type="checkbox"/> SHO <input type="checkbox"/> SC <input type="checkbox"/> PC		COPIES GIVEN INMATE BEFORE HEARING	
<input checked="" type="checkbox"/> CDC 115	BY: (STAFF'S SIGNATURE) 	DATE 7/12/06	TIME 1:40
<input type="checkbox"/> INCIDENT REPORT LOG NUMBER:	BY: (STAFF'S SIGNATURE)	DATE	TIME

HEARING

REFERRED TO <input type="checkbox"/> CLASSIFICATION <input type="checkbox"/> BPT/NAEA	ACTION BY: (TYPED NAME)		SIGNATURE 	DATE 7/11/06	TIME 1:40
REVIEWED BY: (SIGNATURE) 	DATE 7/12/06	CHIEF DISCIPLINARY OFFICER'S SIGNATURE 		DATE 7/12/06	TIME 1:40
BY: (STAFF'S SIGNATURE) 		DATE 7/12/06		TIME 1:40	

CDC 115 (7/88)

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SEP 20 2006

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OCT 06 2006

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CAL A 0602524

STATE OF CALIFORNIA
RECEIVED CAL APPEALS OCT 20 2006
RULES VIOLATION REPORT - PART CDEPARTMENT OF CORRECTIONS
PAGE 2 OF 8

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL	TODAY'S DATE 07/05/06
<input type="checkbox"/> SUPPLEMENTAL	<input checked="" type="checkbox"/> CONTINUATION OF: <input checked="" type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

The Security and Investigations Unit discovered that 10 altered checks were mailed to Inmate Janoe, J25333/A1-150 from his brother, Brett H. Janoe, from April 27, 2006 through May 30, 2006.

Brett H. Janoe is currently in custody at the West Valley Detention Facility, San Bernardino Sheriff's Dept., for Burglary. The Security & Investigations Unit was able to verify that 5 of the checks were confirmed stolen and 4 of the following checks were deposited into Janoe's trust account. (See attached copies of Trust Account Statement).

1. \$2,021.51, #010006 from Phoenix Millwork Distributors, Inc. deposited on 4-27-06.
2. \$1,298.02, #6872 from Millwork Products, Inc. deposited on 4-27-06.
3. \$222.20, Stater Bros. Inc, Money Order #47644617207 deposited on 4-27-06.
4. \$239.98, Travelers Express, Money Order #47541474860

The total amount deposited in Janoe's Inmate Trust account totals some \$3,771.71 dollars

Inmate Janoe's current balance in his trust account is \$4,345.03.

Although Inmate Janoe wasn't in a position to view the incoming checks, Inmate Janoe received monthly statements from the Calipatria Accounting Dept, indicating deposits to his account had been made, which would have given him knowledge of his account activities and current funds balance available.

On July 3, 2006, CAL Accounting Dept. reported, Janoe's deposits into his account from April 27, 2006 through May 30, 2006 was approximately \$4,909.53 dollars.

A cash withdrawal in the amount of \$530.30 dollars was withdrawn from the account prior to CAL Accounting's discovery of the altered checks.

A review of Janoe's Trust Account Statement and activity prior to the \$2,021.51 dollar deposits on April 27, 2006 clearly indicated an available zero balance.

Inmate Janoe is not a participant in the Mental Health Services Delivery System.

Inmate Janoe is aware of this report.

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER S. CRUTCHENDON, Correctional Officer	DATE SIGNED 7/11/06
	GIVEN BY: (Staff's Signature) <i>[Signature]</i>	DATE SIGNED 7-12-06
		TIME SIGNED 1440

CAL A 0602524

STATE OF CALIFORNIA RECEIVED CAL APPEALS OCT 20 2005

RULES VIOLATION REPORT - PART C

DEPARTMENT OF CORRECTIONS

PAGE 3 OF 8

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL	TODAY'S DATE 07/05/06
<input type="checkbox"/> SUPPLEMENTAL	<input checked="" type="checkbox"/> CONTINUATION OF: <input checked="" type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

The third (3rd) check serial #206430 was generated by East Valley Water District (EVWD), P.O. Box 3427 San Bernardino Ca, for the amount of \$3,187.00 with a hand written letter enclosed, dated 5-16-06 from Brett Janoe.

CAL Accounting Office received the checks on May 17, 2006. The checks are endorsed to Inmate Janoe, J25333, by typing in bold letters over the original endorsee name. A hand written 2-page letter, dated 5-16-06 was also enclosed with check #206430 and stated the following: The hand written letter indicated that "Bret Janoe" has a court case coming up next month and he needs to raise \$300,000.00 dollars to fight his case from the streets.

Bret's homeboy (unknown at this time) enclosed \$5,000 dollars for you (Referring to Inmate Janoe) plus another \$5,000.00 dollars. Bret tells (Inmate Janoe) once it clears his account, take half of it and send the other half (\$5,000.00 dollars) back him in a State of California check. (See attached)

On June 23, 2006, (CAL) Accounting Dept Personnel reported that Inmate Janoe submitted a Trust Account Withdrawal Order dated, May 25, 2006 for the amount of \$1100.00 dollars, for Financial Assistance to his mother Marilyn Janoe, P.O. Box 843, Rialto Ca. 92377. (See attached copy of Janoe's Inmate Trust Withdrawal Form) On June 20, 2006, at approximately 1130 hours, I conducted a cell search inside Inmate Janoe's cell and discovered the following 6 empty envelopes. (See attached copies of envelopes)

1. Envelope dated April 24, 2006 with a return address with the name Brett Janoe, P.O. Box 651, Running Springs, Ca. 92382 containing 2 money orders #47644617207 and #08-488156874 for a combined total in the amount of \$222.20.

2. Envelope dated April 24, 2006 with a return address with the Initials B.J., 651, RS, Ca. 92382, with check #010006 for the amount of \$2,021.51 with a hand written note from Brett Janoe telling his brother Inmate Janoe, "Let me know what you need!" "I'll send more money in a couple of days".

3. Envelope dated April 24, 2006 with a return address with the Initials B.J. 652, RS, Ca. 92382 with check #6872 for the amount of \$1,298.02 with a hand written note of check amounts and balances from Inmate Janoe.

4. Envelope dated May 02, 2006 with a return address P.O. Box 651 R.S. Calif. 92382 containing 3 money orders #7-41909243, #47541474860 for the amount of \$239.98, #48035015842.

5. Envelope dated May 02, 2006 with a return address P.O. Box 651 R.S. Calif. with checks #8164598 and #724788.

6. Envelope dated May 30, 2006 with no return address with check #206430 for the amount of \$3,187.00 dollars written on it.

On Thursday, June 21, 2006, at approximately 1530 hours, San Bernardino Sheriff's Dept. Twin Peaks Detective Pelkey called. Detective Pelkey confirmed that Bret Harvey Janoe and 2 other suspects were arrested for a Burglary of a United States Post Office on May 31, 2006, and are currently in West Valley Detention Facility, located in San Bernardino Ca. (Report #050602045).

RVR continued on CDC 115 Part C

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER S. CRITENDON, Correctional Officer	DATE SIGNED 7/11/06	
	GIVEN BY: (Staff's Signature) <i>[Signature]</i>	DATE SIGNED 7-12-06	TIME SIGNED 1440

STATE OF CALIFORNIA RECEIVED CAL APPEALS OCT 20 2006

CAL

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0602524
DEPARTMENT OF CORRECTIONS
PAGE 4 OF 8

RULES VIOLATION REPORT - PART C

CDC NUMBER I-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL	TODAY'S DATE 07/05/06
<input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input checked="" type="checkbox"/> OTHER				

Inmate Janoe was provided copies of the following documents:

Five (5) of the checks listed below were confirmed stolen by the Security & Investigations Units, 4 of the following checks and/or money orders were deposited into Janoe's trust account.

1. Deposit of \$2,021.51, #010006 from Phoenix Millwork Distributors, Inc.
2. Deposit of \$1,298.02, #6872 from Millwork Products, Inc.
3. Deposit of \$222.20, "Stater Bros. Inc", Money Order #47644617207.
4. Deposit of \$239.98, Travelers Express, Money Order #47541474860.
5. Deposit of \$111.72, from an unknown source at this time.
6. Deposit of \$100.00, from an unknown source at this time.
7. Deposit of \$530.98, from an unknown source at this time.
8. Deposit of \$152.30, from an unknown source at this time.
10. Deposit of check # 8164598, \$225.74, from an unknown source at this time.
11. Deposit of check # 7247788, \$503.98, from an unknown source at this time.
12. Check serial #146931907 for the amount of \$5,727.19
13. Check serial #146931908 for the amount of \$5,190.87
14. Check serial # 206430 for the amount of \$3,187.00
15. Handwritten latter dated 5/16/06. (2 pages)
16. CDC-193 Trust Account Withdrawal Order dated May 25, 2006 for the amount of \$1100.00 signed by Inmate Janoe and noted and dated 5/29/06 by a CC1 staff member.
17. Six (6) enveloped addressed to Inmate Janoe notating items #1 through #11 listed above as being enclosed.
18. Handwritten calculations of amounts received recovered from Inmate Janoe's cell by S&I Officer Crittendon on June 20, 2006.
19. CDC Inmate Trust Account Activity report for Inmate Janoe (I-25333). (2 pages)
20. Memorandum dated June 13, 2006, authored by V. Canada, Security and Investigations.

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER S. CRITTENDON, Correctional Officer	DATE SIGNED 7/11/06
	GIVEN BY: (Staff's Signature) [Signature]	DATE SIGNED 7-12-06
		TIME SIGNED 1440

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STATE OF CALIFORNIA
 RECEIVED CAL APPEALS OCT 20 2006
 RULES VIOLATION REPORT - PART C

CAL

A 0602524

DEPARTMENT OF CORRECTIONS
 PAGE 5 OF 8

CDC NUMBER	INMATE'S NAME	LOG NUMBER	INSTITUTION	TODAY'S DATE
I-25333	JANOE	07-06-A-005	CSP-CAL	07/05/06
<input checked="" type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF:	<input type="checkbox"/> 115 CIRCUMSTANCES	<input type="checkbox"/> HEARING	<input type="checkbox"/> IE REPORT
			<input type="checkbox"/> OTHER	

On Tuesday, June 13, 2006, at approximately 1000 hours, while performing my duties as Security & Investigations (S&I) Officer #5, I received two (2) separate envelopes addressed to Inmate Bobby Janoe J25333/A1-150 from the Inmate Trust Account Office Technician W. Neciuk. The first letter contained two (2) separate checks entitled "Medicare Payment", both made out to J. Robert West MD Inc. P.O. Box 2150 Redlands, CA 92373-0701 and to Bobby Janoe #J25333 in a visibly bolder font, (see attached copies). The first check serial number was #146931908 made in the amount of \$5,190.87 and the second check serial number was #146931907 made in the amount of \$5,727.19. The second envelope contained a letter dated "5-16-06" and a third check from East Valley Water District" written to "Bobby Janoe #J25333" PO Box 5069 San Bernardino, CA 92412-5069. It should be noted Inmate Janoe's name is in a visibly bolder font and appears to be written over another person's name. The serial number is 206430 and made in the amount of \$3,187.00. The envelopes of both the first and second check were postmarked San Bernardino May 17, 2006. The return address for both envelopes was:

"B
 Box 651
 R.S., Ca 92382"

I advised S&I Sergeant (Sgt.) S. Rutledge of the information and placed the original envelopes, three (3) checks, and the letter into evidence locker #10 at Central Control. A copy of this report was turned over to S&I Officer S. Crittendon as part of an ongoing investigation into illegal activities by Inmate Janoe.

Security and Investigations at Calipatria State Prison will continue to monitor the activities of the inmates whose names appear in this report. Their involvement in illegal activities should be closely monitored and documented when new information is discovered.

It should be noted that the information contained in this report was originally deemed Confidential in nature due to an on going investigation. Due to the completion of the investigation it has been reclassified as non-Confidential, (refer to Memorandum #IUR 06-026, dated June 14, 2006, authored by S&I Officer S. Crittendon).

The information on this report does meet the criteria for reliability per CCR Title 15, Section 3321 (c) (4):

Part of the information provided is corroborated through investigation or by information provided by non-confidential sources.

I request a copy of this report be placed in the General Section of Inmate Janoe's J25333 Central File.

Inmate JANOE is not a participant of the Mental Health Delivery System (MHSDS).

Inmate JANOE is aware of this report.

This concludes my report.

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER V. Canada, Correctional Officer	DATE SIGNED 7/11/06
	GIVEN BY: (Staff's Signature) <i>[Signature]</i>	DATE SIGNED 7-12-06
		TIME SIGNED 1440

CAL A 0602524

DEPARTMENT OF CORRECTIONS

PAGE 6 OF 8

STATE OF CALIFORNIA

RULES VIOLATION REPORT - PART C

CDC NUMBER	INMATE'S NAME	LOG NUMBER	INSTITUTION	TODAY'S DATE
L-25333	JANOE	07-06-A-005	CSP-CAL	07/14/06
<input type="checkbox"/> SUPPLEMENTAL	<input checked="" type="checkbox"/> CONTINUATION OF: <input checked="" type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

I placed the original envelope and the (2) two money orders into evidence locker number #5 located in Central Control. A copy of this report is being submitted as a supplemental report to the ongoing investigation into illegal activities by Inmate Janoe.

S&I at Calipatria State Prison will continue to monitor the activities of those inmates whose names appear in this report. Their involvement in illegal activities should be closely monitored and documented when new information is discovered.

This information does meet the criteria for Confidentiality per California Code of Regulations (CCR), Title 15, section; §3321(c) (4). Part of the information provided is corroborated through investigation or by information provided by non-confidential sources.

I request that a copy of this report be placed in the general section of Inmate Janoe's Central File.

Inmate Janoe is not a participant of the Mental Health Delivery System (MHSDS). Inmate Janoe is aware of this report.

This concludes my report.

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER V. Canada, Correctional Officer	DATE SIGNED 7-17-06
	GIVEN BY: (Staff's Signature)	DATE SIGNED 0820

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STATE OF CALIFORNIA
RECEIVED CAL APPEALS OCT 20 2005DEPARTMENT OF CORRECTIONS
PAGE 7 OF 8

RULES VIOLATION REPORT - PART C

CDC NUMBER	INMATE'S NAME	LOG NUMBER	INSTITUTION	TODAY'S DATE
J-25333	JANOE	07-06-A-005	CSP-CAL	07/14/06
<input type="checkbox"/> SUPPLEMENTAL	<input checked="" type="checkbox"/> CONTINUATION OF: <input checked="" type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

On Friday, July 14, 2006, at approximately 0800 hours, while performing my duties as Security and Investigations (S&I) Officer #5, I was advised by S&I Sergeant (Sgt) Rutledge that two (2) additional money orders serial #57-42718592 for the amount of \$287.67 dollars and serial #08-532968393 for the amount of \$86.00 dollars addressed to Bobby Janoe (J-25333, A1-150) had been confiscated from Calipatria State Prison (CAL) Inmate Trust Account Office Personnel. CAL Accounting Office received the checks on July 12, 2006 via United State Postal Services. The two (2) additional money orders appeared to be stolen checks, which relate to an investigation conducted by CAL Security and Investigations Officer S. Crittendon completed on July 5, 2006, during which Inmate Janoe was identified as receiving stolen checks.

The envelope containing the (2) two money orders were addressed to:
 "Bobby Janoe J-25333
 Unit A1-150
 P.O. Box 5002
 Calipatria, Calif 92233
 Enclosed \$287.67
 \$86.00
 \$373.67
 Enjoy Bro"

The post date on the envelope is July 12, 2006 from San Bernardino and the return address is:
 "Robert"
 Box 1707
 S.B. Ca 92408

The first money order confiscated was from Continental Express Money Order Company Inc. serial #57-42718592 for the amount of \$287.67 dollars made payable to "Bobby Janoe, Account # J-25333". The money order was typed out, however the information was hand written in visibly bolder black ink similar to the previous checks determined to be stolen.

The second money order confiscated was from "Western Union" Money Order Company Inc. serial #08-532968393 for the amount of \$86.00 dollars made payable to "Bobby Janoe, Account # J-25333". The money order was typed out, however the information was hand written in visibly bolder black ink similar to the previous checks determined to be stolen.

It should be noted that earlier checks and money orders received by Inmate Janoe contained similar handwriting covering up the true intended recipients name and personal information were determined to be stolen.

RVR continued on CDC-115 Part C

SIGNATURE OF WRITER V. Canada, Correctional Officer		DATE SIGNED 7-17-06	
GIVEN BY: (Staff's Signature)		DATE SIGNED 08-02-06	TIME SIGNED 7:17:06
<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE			

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0602524

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

RULES VIOLATION REPORT PART CLS OCT 20 2005

PAGE 8 OF 8

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL	TODAY'S DATE 07/17/06
<input type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF:	<input type="checkbox"/> 115 CIRCUMSTANCES	<input type="checkbox"/> HEARING	<input type="checkbox"/> IE REPORT
<input type="checkbox"/> OTHER				

On, May 17, 2006 at approximately 1000 hours, while performing my duties processing monies received from the institutional mail room, I discovered that check(s) serial #146931907 for the amount of \$5,727.19 and check serial #146931908 for the amount of \$5,190.87 appeared to have been altered. Calipatria State Prison (CAL) Inmate Trust Account Office Personnel received the checks via the institutional mail. I notified Security and Investigations (S&I) Officer #5 V. Canada that I had received, 2 original checks serial #146931907 for the amount of \$5,727.19 and check serial #146931908 for the amount of \$5,190.87 endorsed for payment to a J. Robert West MD Inc, P.O. Box 2150, Redlands Ca. 92373-0701 and below the physician's name typed in bold letters and underlined, was Inmate Janoe, J25333/A1-150, underneath the original endorsee. Both checks were generated by National Heritage Insurance Company (NHIC) for Medicare Payment. On Tuesday, June 13, 2006, at approximately 1000 hours, I relinquished the checks to Squad Officer Canada.

Inmate Janoe is not a participant of the Mental Health Delivery System (MHSDS).

<input checked="" type="checkbox"/>	COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER G. SHEPHERD <i>G. Shepherd</i>	DATE SIGNED 7/18/06
		GIVEN BY: (Staff's Signature) <i>Cheney</i>	DATE SIGNED 7-18-06
		TIME SIGNED 1105	

EXHIBIT

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RECEIVED CAL APPEALS SEP 29 2006

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From COPY

STATE OF CALIFORNIA

CRIME INCIDENT REPORT OCT 06 2006

DEPARTMENT OF CORRECTIONS AND REHABILITATION

PART A - COVER SHEET

CDCR 837-A (Rev. 07/05)

PAGE 1 OF 12

INCIDENT LOG NUMBER

CAL-CEN-06-07-0244

INCIDENT DATE

07/20/06

INCIDENT TIME

900

INSTITUTION CAL	FACILITY CEN	FACILITY LEVEL <input type="checkbox"/> I <input type="checkbox"/> II <input checked="" type="checkbox"/> III <input checked="" type="checkbox"/> IV	INCIDENT SITE Mialroom	LOCATION A1-150	<input type="checkbox"/> ASU <input type="checkbox"/> SHU <input type="checkbox"/> PSU <input type="checkbox"/> SNY <input type="checkbox"/> PHU <input type="checkbox"/> CTC <input checked="" type="checkbox"/> GP <input type="checkbox"/> RC	SEG YARD <input type="checkbox"/> CC <input type="checkbox"/> WA <input type="checkbox"/> RM	USE OF FORCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
--------------------	-----------------	---	---------------------------	--------------------	--	--	---

SPECIFIC CRIME / INCIDENT

Theft in excess of \$500.00

☒ CCR ☐ PC ☐ N/A

NUMBER/SUBSECTION: 3012

D. A. REFERRAL ELIGIBLE

☒ YES ☐ NO

CRISIS RESPONSE TEAM ACTIVATED

☐ YES ☒ NO

MUTUAL AID REQUEST

☐ YES ☒ NO

PIO/AA NOTIFIED

☐ YES ☒ NO

RELATED INFORMATION (CHECK ALL THAT APPLY OR N/A)

DEATH	CAUSE OF DEATH	ASSAULT / BATTERY	TYPE OF ASSAULT / BATTERY
<input type="checkbox"/> INMATE <input type="checkbox"/> STAFF <input type="checkbox"/> VISITOR <input type="checkbox"/> OTHER: <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> ACCIDENTAL <input type="checkbox"/> NATURAL <input type="checkbox"/> EXECUTION <input type="checkbox"/> UNKNOWN <input type="checkbox"/> HOMICIDE <input type="checkbox"/> SUICIDE <input type="checkbox"/> OVERDOSE <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> ON INMATE <input type="checkbox"/> ON STAFF <input type="checkbox"/> ON VISITOR <input type="checkbox"/> OTHER: <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> BEATING <input type="checkbox"/> SPEARING <input type="checkbox"/> GASSING <input type="checkbox"/> STABBING <input type="checkbox"/> POISONING <input type="checkbox"/> STRANGLING <input type="checkbox"/> SEXUAL <input type="checkbox"/> OTHER: <input type="checkbox"/> SHOOTING <input checked="" type="checkbox"/> SLASHING <input checked="" type="checkbox"/> N/A

SERIOUS INJURY	INMATE WEAPONS	TYPE OF WEAPON / SHOTS FIRED / FORCE
<input type="checkbox"/> INMATE <input type="checkbox"/> STAFF <input type="checkbox"/> VISITOR <input type="checkbox"/> OTHER: <input type="checkbox"/> N/A	<input type="checkbox"/> CHEMICAL SUBSTANCE <input type="checkbox"/> CLUB / BLUDGEON <input type="checkbox"/> EXPLOSIVE <input type="checkbox"/> FIREARM <input type="checkbox"/> HANDS / FEET <input type="checkbox"/> KNIFE <input type="checkbox"/> SAP/SLUNG SHOT <input type="checkbox"/> PROJECTILE <input type="checkbox"/> SPEAR <input type="checkbox"/> SLASHING INSTRUMENT: (TYPE) _____ <input type="checkbox"/> STABBING INSTRUMENT: (TYPE) _____ <input type="checkbox"/> OTHER: _____ <input type="checkbox"/> BODILY FLUID <input type="checkbox"/> OTHER FLUID: _____ <input type="checkbox"/> UNKNOWN LIQUID <input checked="" type="checkbox"/> N/A	WEAPON: <input type="checkbox"/> MINI 14 <input type="checkbox"/> 38 CAL. <input type="checkbox"/> 9MM <input type="checkbox"/> SHOTGUN LAUNCHER: <input type="checkbox"/> 37MM <input type="checkbox"/> L8 <input type="checkbox"/> 40MM <input type="checkbox"/> 40MM MULTI <input type="checkbox"/> HFWRS FORCE: <input type="checkbox"/> EXPANDABLE BATON <input type="checkbox"/> PHYSICAL FORCE <input type="checkbox"/> X10 <input type="checkbox"/> OTHER: _____ BATON ROUND: <input type="checkbox"/> TYPE / NO: <input type="checkbox"/> WOOD <input type="checkbox"/> RUBBER <input type="checkbox"/> FOAM STINGER: <input type="checkbox"/> .32 (A) <input type="checkbox"/> .60 (B) <input type="checkbox"/> EXACTIMPACT <input type="checkbox"/> CTS 4557 <input type="checkbox"/> XM 1006 CHEMICAL: <input type="checkbox"/> OC <input type="checkbox"/> CN <input type="checkbox"/> CS <input checked="" type="checkbox"/> N/A

CONTROLLED SUBSTANCE	WEIGHT	PROGRAM STATUS	EXCEPTIONAL ACTIVITY
<input type="checkbox"/> POSITIVE UA <input type="checkbox"/> CONTROLLED MEDS <input type="checkbox"/> AMPHETAMINE <input type="checkbox"/> BARBITURATES <input type="checkbox"/> COCAINE <input type="checkbox"/> CODEINE <input type="checkbox"/> HEROIN <input type="checkbox"/> MARIJUANA/THC <input type="checkbox"/> METHAMPHETAMINE <input type="checkbox"/> MORPHINE <input type="checkbox"/> OTHER: _____ <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> WITH PACKAGING <input type="checkbox"/> W/O PACKAGING PRELIMINARY LAB	<input type="checkbox"/> MODIFIED PROGRAM <input type="checkbox"/> LOCKDOWN <input type="checkbox"/> STATE OF EMERGENCY IF YES, LIST AFFECTED PROGRAMS: <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> EMPLOYEE JOB ACTION <input type="checkbox"/> WEATHER <input type="checkbox"/> ENVIRONMENTAL HAZARD <input type="checkbox"/> SEARCH WARRANT <input type="checkbox"/> EXPLOSION <input type="checkbox"/> ARREST <input type="checkbox"/> FIRE <input checked="" type="checkbox"/> OTHER: Theft in excess of \$500 <input type="checkbox"/> GANG/DISRUPTIVE GROUP <input type="checkbox"/> HOSTAGE <input type="checkbox"/> INMATE STRIKE <input type="checkbox"/> MAJOR DISTURBANCE <input type="checkbox"/> MAJOR POWER OUTAGE <input type="checkbox"/> NATURAL DISASTER <input type="checkbox"/> PUBLIC DEMONSTRATION <input type="checkbox"/> SPECIAL INTEREST I/M EXTRACTION: <input type="checkbox"/> CALCULATED <input type="checkbox"/> EMERGENCY <input type="checkbox"/> N/A

BRIEF DESCRIPTION OF INCIDENT (ONE OR TWO SENTENCES):

On Friday July 20, 2006 information was received that Calipatria State Prison would suffer a loss of in excess of \$500.00 based on the actions of Inmate Janoe (J-25333, A1-150L)

COMPLETE SYNOPSIS / SUMMARY ON PART A1

NAME OF REPORTING STAFF (PRINT/TYPE) G. STRATTON	TITLE Lieutenant	ID # 1761045	BADGE # 34114
SIGNATURE OF REPORTING STAFF <i>G. Stratton</i>	PHONE EXT. (INCIDENT SITE) 7100	DATE 07/14/06	
NAME OF WARDEN / AOB (PRINT/SIGN) L. E. SCRIBNER	TITLE Warden	DATE 7/24/06	

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00270

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CAL A 0602524

STATE OF CALIFORNIA

CRIME / INCIDENT REPORT

PART A1 - SUPPLEMENT

CDCR 837-A1 (07/05)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

INSTITUTION <u>CAL</u> FACILITY <u>CEN</u>		PAGE <u>3</u> OF <u>12</u>	INCIDENT LOG NUMBER CAL-CEN-06-07-0244
TYPE OF INFORMATION: <input type="checkbox"/> SYNOPSIS/SUMMARY OF INCIDENT <input type="checkbox"/> SUPPLEMENTAL INFORMATION <input type="checkbox"/> AMENDED INFORMATION <input type="checkbox"/> CLOSURE REPORT		INCIDENT DATE 07/20/06	INCIDENT TIME 900

NARRATIVE:

ADDITIONAL INFORMATION:

Inmate Janoe will be issued a CDC 115, Serious Rules Violation Report for violation of California Code Of Regulations, Section 3012 for the specific act of Possession of Stolen Property and Check Fraud Log # 07-06-A-005, Theft.

This matter may be referred to the Imperial County District Attorney's Officer for possible felony prosecution.

ISU staff have been informed that other agencies are investigating this matter and may prosecuting this matter in a county other than Imperial

CAL ISU staff have been notified that several other law enforcement agencies are looking into this matter and may prosecute Inmate Janoe for his actions.

☐ CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL A1

NAME OF REPORTING STAFF (PRINT/TYPE) G. STRATTON	TITLE Lieutenant	ID # 1761045	BADGE # 34114
SIGNATURE OF REPORTING STAFF <i>G. Stratton</i>		PHONE EXT. (INCIDENT SITE) 7100	DATE 07/20/06
NAME OF WARDEN / AOD (PRINT/SIGN) <i>G. J. Janoe</i>		TITLE Lieutenant	DATE 7/21/06

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OCT 06 2006

00271

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CRIME / INCIDENT REPORT
PART C- STAFF REPORT
CDCR 837-C (Rev. 07/05)

PAGE 10 OF 12

INCIDENT LOG NUMBER

CALCEN-06-07-0244

NAME: LAST WEITZEIL		FIRST P.		MI L.	DATE OF INCIDENT 07/18/06	TIME OF INCIDENT 900
POST #	POSITION ACCOUNTING CLERK II.	YEARS OF SERVICE 8 YR. 2 MO.	DATE OF REPORT 07/20/06		LOCATION OF INCIDENT ACCOUNTING OFFICE	
RDO's S/SU/H	DUTY HOURS 0800-1600	DESCRIPTION OF CRIME / INCIDENT Receiving Stolen Checks & Money Orders/Embezzlement			CCR SECTION / RULE <input type="checkbox"/> N/A	

YOUR ROLE	WITNESSES (PREFACE S-STAFF, V-VISITOR, O-OTHER)	INMATES (PREFACE S-SUSPECT, V-VICTIM, W-WITNESS)
<input type="checkbox"/> PRIMARY	S. CRITTENDON (S)	JANOE J25333/A1-150
<input checked="" type="checkbox"/> RESPONDER		
<input type="checkbox"/> WITNESS		
<input type="checkbox"/> VICTIM		
<input type="checkbox"/> CAMERA		

FORCE USED BY YOU	WEAPONS AND SHOTS FIRED BY YOU		CHEMICAL AGENTS USE BY YOU
<input type="checkbox"/> WEAPON	NO:	NO:	TYPE:
<input type="checkbox"/> PHYSICAL	<input type="checkbox"/> MINI-14	<input type="checkbox"/> 37MM	<input type="checkbox"/> OC
<input type="checkbox"/> CHEMICAL	<input type="checkbox"/> 9 MM	<input type="checkbox"/> 40 MM	<input type="checkbox"/> CN
<input checked="" type="checkbox"/> NONE	<input type="checkbox"/> 38 CAL	<input type="checkbox"/> L8	<input type="checkbox"/> CS
FORCE OBSERVED BY YOU	<input type="checkbox"/> SHOTGUN	<input type="checkbox"/> 40 MULTI	<input type="checkbox"/> OTHER:
<input type="checkbox"/> WEAPON	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> HFWRs	<input checked="" type="checkbox"/> N/A
<input type="checkbox"/> PHYSICAL		<input type="checkbox"/> BATON	
<input type="checkbox"/> CHEMICAL			
<input checked="" type="checkbox"/> NONE			

EVIDENCE COLLECTED BY YOU	EVIDENCE DESCRIPTION	EVIDENCE DISPOSITION	BIO HAZARD	PPE
<input checked="" type="checkbox"/> YES	See Body of Report	See Body of Report	<input type="checkbox"/> YES	<input type="checkbox"/> YES
<input type="checkbox"/> NO	<input type="checkbox"/> N/A	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> NO
REPORTING STAFF INJURED	DESCRIPTION OF INJURY	LOCATION TREATED (HOSPITAL / CLINIC)	FLUID EXPOSURE	SCIF 3301 / 3067 COMPLETED
<input type="checkbox"/> YES			<input type="checkbox"/> BODILY	<input type="checkbox"/> YES
<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> NO
			<input type="checkbox"/> UNKNOWN	
			<input type="checkbox"/> OTHER:	

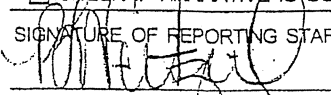
NARRATIVE:

On June 13, 2006 at approximately 0900 hours, while performing my duties as Accounting Clerk II in the Main Inmate Trust Account Office I was advised by Account Tech. W. Necuik and Account Clerk II G. Shepherd that they had discovered two (2) checks that appeared to be stolen for Inmate Janoe J25333/A1-150. I inspected the checks and noticed that the checks appeared to be altered in that Inmate Janoe's name and CDCR number appeared to be in a visibly bolder font and was written over another person's name.

Based on my experience and training, I confirmed the checks to be of a suspicious nature and I believed these checks to be stolen. Based on this knowledge Mr. Necuik contacted Security and Investigation (S&I) and relinquished custody of the checks to S&I Officer #5 V. Canada as evidence items on June 13, 2006.

On Wednesday, June 14, 2006, at approximately 1000 hours, S&I Officer #9 S. Crittendon notified Accounting Office personnel that he was investigating the theft of numerous checks being sent to Inmate Janoe's Trust Account by contacting Outside Law Enforcement Agencies and the companies, who generated the checks.

☐ CHECK IF NARRATIVE IS CONTINUED ON PART C1

SIGNATURE OF REPORTING STAFF 	TITLE C/O	BADGE # 176333	DATE 07/20/06
NAME AND TITLE OF REVIEWER (PRINT / SIGNATURE) G. Stratton G. Stratton	DATE RECEIVED 7/20/06	APPROVED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	CLARIFICATION NEEDED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

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CAL A 0602524
DEPARTMENT OF CORRECTIONS AND REHABILITATION

STATE OF CALIFORNIA

CRIME / INCIDENT REPORT

PART C1-SUPPLEMENTAL APPEALS OCT 06 2006

CDCR 837-C1 (Rev. 07/05)

PAGE 7 OF 12

INCIDENT LOG NUMBER

CAL CEN-06-07-0244

NAME: LAST

WEITZEIL RECEIVED CAL APPEALS OCT 20 2006

FIRST

P.

MI

L.

TYPE OF INFORMATION:

☒ CONTINUATION OF REPORT☐ CLARIFICATION OF REPORT☐ ADDITIONAL INFORMATION

NARRATIVE:

I continued to maintain contact with S&I Officer Crittendon and was able to confirm through a review of Inmate Janoe's Trust Account that he had received approximately over \$4,345.03 that was posted to his Trust Account beginning April 27, 2006. Inmate Janoe had Trust Account withdrawals totalling \$529.52 in legal charges, filing fees, canteen, and personal aid to his mother as noted on the original Trust Account Withdrawal orders signed by Inmate Janoe.

It should be noted, upon further review of Inmate Janoe's Trust Account activity prior to receiving the first check on April 27, 2006 Inmate Janoe was indigent for approximately five to six months. Beginning in June 03, 2005 Inmate Janoe had not received any funds from the general public and had only received Inmate pay of approximately \$10.00 monthly.

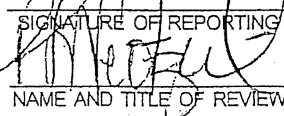
Numerous additional checks and money orders were received for Inmate Janoe's account, which were also of a suspicious nature and appeared to be stolen. These checks and money orders were turned over to S&I Officer Crittendon and not posted to his account pending the completion of Officer Crittendon's investigation. Refer to Officer Crittendon's report for detailed information regarding the amounts of each stolen checks and/or money orders.

On Thursday, July 13, 2006, at approximately 1430 hours Inmate Janoe's Trust Account funds were frozen at the request of S&I Lt. G. Stratton, who advised me that the investigation into Inmate Janoe's illegal activities had been completed. Lt. Stratton advised me that Officer Crittendon had confirmed that through his contacts the checks and money orders had been stolen.

As a result of Inmate Janoe's actions and involvement in this illegal activity the State of California and Calipatria State Prison has lost a total of approximately \$529.52. If the charges were to be reversed or stop payments issue the State will still incur a loss, due to the services already being rendered.

This concludes my report.

☐ CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL C1

SIGNATURE OF REPORTING STAFF 	TITLE C/O	BADGE # 176333	ID # 176333	DATE 07/20/06
NAME AND TITLE OF REVIEWER (PRINT / SIGNATURE) G. Stratton	DATE RECEIVED 7/20/06	APPROVED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	CLARIFICATION NEEDED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DATE

Distribution: Original Incident Package Copy: Reporting Employee Copy: Reviewing Supervisor

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DEPARTMENT OF CORRECTIONS AND REHABILITATIONCRIME / INCIDENT REPORT
PART C1-SUPPLEMENT

CDCR 837-C (Rev. 07/05)

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PAGE 9 OF 12

INCIDENT LOG NUMBER
CAL-CEN-06-07-0244

NAME: LAST

CRITTENDON RECEIVED CAL APPEALS OCT 20 2006

FIRST

STANLEY

MI

E.

TYPE OF INFORMATION:

☒ CONTINUATION OF REPORT☐ CLARIFICATION OF REPORT☐ ADDITIONAL INFORMATION

NARRATIVE:

On June 23, 2006, (CAL) Accounting Dept Personnel reported that Inmate Janoe submitted a Trust Account Withdrawal Order dated, May 25, 2006 for the amount of \$1100.00 dollars, for Financial Assistance to his mother Marilyn Janoe, P.O. Box 843, Rialto Ca. 92377. On June 20, 2006, at approximately 1130 hours, I conducted a cell search inside Inmate Janoe's cell and discovered the following 6 empty envelopes and placed them into evidence.

1. Envelope dated April 24, 2006 with a return address with the name Brett Janoe, P.O. Box 651, Running Springs, Ca. 92382 containing 2 money orders #47644617207 for the amount \$222.20 and #08-488156874.
2. Envelope dated April 24, 2006 with a return address with the Initials B.J. 651, RS, Ca. 92382, with check #010006 for the amount of \$2,021.51 with a hand written note from Brett Janoe telling his brother Inmate Janoe, "Let me know what you need!" "I'll send more money in a couple of days".
3. Envelope dated April 24, 2006 with a return address with the Initials B.J. 652, RS, Ca. 92382 with check #6872 for the amount of \$1,298.02 with a hand written note of check amounts and balances from Inmate Janoe.
4. Envelope dated May 02, 2006 with a return address P.O. Box 651 R. S. Calif. 92382 containing 3 money orders #7-41909243, #47541474860 for the amount of \$239.98, #48035015842.
5. Envelope dated May 02, 2006 with a return address P.O. Box 651 R.S. Calif. with checks #8164598 and #724788.
6. Envelope dated May 30, 2006 with no return address with check #206430 for the amount of \$3,187.00 dollars written on it.

On Thursday, June 21, 2006, at approximately 1530 hours, San Bernardino Sheriff's Dept. Twin Peaks Detective Pelkey contacted this Institution. Detective Pelkey confirmed that Brett Harvey Janoe and 2 other suspects were arrested for a Burglary of a United States Post Office on May 31, 2006, and are currently in West Valley Detention Facility, located in San Bernardino Ca. (Report #050602045).

The Security and Investigations Unit discovered that 10 altered checks were mailed to Inmate Janoe, J25333/A1-150 from his brother, Brett H. Janoe, from April 27, 2006 through May 30, 2006. Brett H. Janoe is currently in jail at West Valley Detention Facility, San Bernardino Sheriff's Dept., for Burglary. The Security & Investigations Unit was able to verify that 5 of the checks were confirmed stolen and 4 of the following checks were deposited into Janoe's trust account.

☒ CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL C1

SIGNATURE OF REPORTING STAFF <i>S. Crittendon</i> S. Crittendon	TITLE C.O.	BADGE # 60,444	ID # 176230	DATE 07/24/06
NAME AND TITLE OF REVIEWER (PRINT / SIGNATURE) <i>G. Stanton</i> G. Stanton	DATE RECEIVED 7/24/06	APPROVED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	CLARIFICATION NEEDED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DATE

Distribution: Original Incident Package Copy: Reporting Employee Copy: Reviewing Supervisor

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STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CRIME / INCIDENT REPORT

PART C - STAFF REPORT APPEALS OCT 06 2006

CDCR 837-C (Rev. 07/05)

PAGE 11 OF 12

INCIDENT LOG NUMBER

CAL-CEN-010-07-0244

NAME: LAST

CANADA

FIRST

MI
C.DATE OF INCIDENT
07/18/06TIME OF INCIDENT
900

POST #

220245

POSITION

S&I #5

YEARS OF SERVICE

9 YR. 11 MO.

DATE OF REPORT

07/20/06

LOCATION OF INCIDENT

Accounting Office A Facility

RDO's

DUTY HOURS

S/SU/H

0800-1600

DESCRIPTION OF CRIME / INCIDENT

Receiving Stolen Checks & Money Orders/Embezzlement

CCR SECTION / RULE

☐ N/A

YOUR ROLE

WITNESSES (PREFACE S-STAFF, V-VISITOR, O-OTHER)

INMATES (PREFACE S-SUSPECT, V-VICTIM, W-WITNESS)

☐ PRIMARY☒ RESPONDER☐ WITNESS☐ VICTIM☐ CAMERA

S. CRITTENDON (S)

JANOE J25333/A1-150

FORCE USED BY YOU

WEAPONS AND SHOTS FIRED BY YOU

CHEMICAL AGENTS USE BY YOU

☐ WEAPON☐ PHYSICAL☐ CHEMICAL☒ NONE

FORCE OBSERVED BY YOU

☐ WEAPON☐ PHYSICAL☐ CHEMICAL☒ NONE

NO:

NO:

TYPE:

TYPE:

☐ MINI-14☐ 37MM☐ 9 MM☐ 40 MM☐ 38 CAL☐ L8☐ SHOTGUN☐ 40 MULTI☐ HFWS☐ BATON☒ N/A☐ OC☐ CN☐ CS☐ OTHER:☒ N/A

EVIDENCE COLLECTED BY YOU

EVIDENCE DESCRIPTION

EVIDENCE DISPOSITION

BIO
HAZARD

PPE

☒ YES☐ NO

See Body of Report

See Body of Report

☐ N/A☐ N/A☐ YES
☒ NO☐ YES
☒ NOREPORTING
STAFF INJURED

DESCRIPTION OF INJURY

LOCATION TREATED
(HOSPITAL / CLINIC)

FLUID EXPOSURE

SCIF 3301 / 3067
COMPLETED☐ YES☒ NO☒ N/A☒ N/A☐ BODILY☒ N/A☐ UNKNOWN☐ OTHER:☐ YES☒ NO

NARRATIVE:

On Tuesday, June 13, 2006 at approximately 1000 hours, while performing my duties as Security and Investigations (S&I) Officer #5 I received two (2) separate envelopes addressed to Inmate Bobby Janoe J25333/A1-150 from the Inmate Trust Account Tech. W. Necuik. The first letter contained two (2) separate checks entitled "Medicare Payment", both made out to J. Robert West MD Inc. P.O. Box 2150 Redlands, CA 92373-0701 and to Bobby Janoe #J25333 in a visibly bolder font, (see attached copies). The first check serial number was #146931908 made in the amount of \$5,190.87 and the second check serial number was #146931907 made in the amount of \$5,727.19. The second envelope contained a letter dated "5-16-06" and a third check from East Valley Water District" written to "Bobby Janoe #J25333" PO Box 5069 San Bernardino, CA 92412-5069. It should be noted Inmate Janoe's name is in a visibly bolder font and appears to be written over another person's name. The serial number is 206430 and made in the amount of \$3,187.00. The envelopes of both the first and second check were postmarked San Bernardino May 17, 2006.

☐ CHECK IF NARRATIVE IS CONTINUED ON PART C1

SIGNATURE OF REPORTING STAFF

TITLE

C/O

BADGE #

55139/176276

DATE

07/20/06

NAME AND TITLE OF REVIEWER (PRINT / SIGNATURE)

DATE RECEIVED

7/20/06

APPROVED

CLARIFICATION NEEDED

DATE

☒ YES ☐ NO ☐ YES ☒ NO

EXHIBIT

F

STATE OF CALIFORNIA

CAL

A

DEPARTMENT OF CORRECTIONS

SERIOUS RULES VIOLATION REPORT

CDC NUMBER J-25	INMATE'S NAME JANICE	VIOLATED RULE NO(S)	DATE 7-12-06	INSTITUTION CSP-CAL	LOG NO. 07-06-A-005
--------------------	-------------------------	---------------------	-----------------	------------------------	------------------------

REFERRAL FOR FELONY PROSECUTION IS TIMELY IN THIS INCIDENT ☒ YES ☐ NO

POSTPONEMENT OF DISCIPLINARY HEARING

<input checked="" type="checkbox"/> I DO NOT REQUEST my hearing be postponed pending outcome of referral for prosecution.	INMATE'S SIGNATURE ▶ X	DATE 7-12-06
<input type="checkbox"/> I REQUEST my hearing be postponed pending outcome of referral for prosecution.	INMATE'S SIGNATURE ▶	DATE

DATE NOTICE OF OUTCOME RECEIVED: OCT 20 2006

<input type="checkbox"/> I REVOKE my request for postponement.	INMATE'S SIGNATURE ▶	DATE
--	-------------------------	------

STAFF ASSISTANT

STAFF ASSISTANT <input type="checkbox"/> REQUESTED <input type="checkbox"/> WAIVED BY INMATE	INMATE'S SIGNATURE ▶	DATE
<input type="checkbox"/> ASSIGNED	DATE	NAME OF STAFF
<input type="checkbox"/> NOT ASSIGNED	REASON	

INVESTIGATIVE EMPLOYEE

INVESTIGATIVE EMPLOYEE <input type="checkbox"/> REQUESTED <input type="checkbox"/> WAIVED BY INMATE	INMATE'S SIGNATURE ▶	DATE
<input checked="" type="checkbox"/> ASSIGNED	DATE 7-12-06	NAME OF STAFF N. MESA
<input type="checkbox"/> NOT ASSIGNED	REASON	

EVIDENCE / INFORMATION REQUESTED BY INMATE:

WITNESSES

WITNESSES REQUESTED AT HEARING (IF NOT PRESENT, EXPLAIN IN FINDINGS):

☐ REPORTING EMPLOYEE ☐ STAFF ASSISTANT ☐ INVESTIGATIVE EMPLOYEE ☐ OTHER ☐ NONE

WITNESSES (GIVE NAME AND TITLE OR CDC NUMBER)

GRANTED NOT GRANTED

WITNESSES (GIVE NAME AND TITLE OR CDC NUMBER)

GRANTED NOT GRANTED

INVESTIGATIVE REPORT: Investigative Employees must interview the inmate charged, the reporting employee, and any others who have significant information, documenting the testimony of each person interviewed. Review of files, procedures, and other documents may also be necessary.

INVESTIGATOR'S SIGNATURE	DATE
BY: (STAFF'S SIGNATURE)	DATE
COPY OF THIS REPORT GIVEN INMATE	TIME

AL A 0602024

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

RULES VIOLATION REPORT - PART C OCT 20 2006

PAGE 2 OF 12

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/04/06
<input type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> 115 CIRCUMSTANCES <input checked="" type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

On Friday, August 4, 2006, at approximately 1505 hours, Inmate JANOE, CDC# J-25333, appeared before me for adjudication of this Rules Violation Report (RVR). I introduced myself as the Senior Hearing Official (SHO) for this disciplinary hearing and explained the hearing rules and procedures. Inmate JANOE stated that he was in good health, and acknowledged receipt of all reports 24 hours prior to this hearing and was ready to proceed with this hearing. All time constraints and due processes have been met. Inmate JANOE acknowledged receipt of all reports and/or pertinent documents more than twenty-four (24) hours in advance of the hearing as required per CCR §3320 (c)(2). Inmate JANOE is not a participant in the Mental Health Services Delivery System (MHSDS), Disability Placement Program (DPP), or the Developmental Disability Program (DPP). Inmate JANOE does not appear on the Testing Literacy Report as having a TAFE score of 4.0 or below.

STAFF ASSISTANT: A Staff Assistant was not assigned: per §3315(d) (2).

INVESTIGATIVE EMPLOYEE: An Investigative Employee was not assigned per §3315(d) (1).

Inmate JANOE requested that his hearing *not be* postponed pending resolution of possible referral to the District Attorney's office for criminal prosecution as indicated by his signature on the CDC Form 115-A..

INMATE'S PLEA: The charges were read to Inmate JANOE, and he plead "NOT GUILTY."

INMATE'S STATEMENT: Inmate JANOE made the following statement:

"I have not seen my brother in over twenty years. The last time I saw him he stole property from me and my mom and then he disappeared. I am surmising that he took it and sold it for money, now this is twenty years later. I have been down for Fifteen years. So out of the blue, my other brother "Brian Scott" just happened to run into Brent's former wife. I do not know her name, but they said lets go talk to Brent. I do not know what they were talking about, but I'm guessing that Brent told Brian that I was in prison. Brent tells him that I am doing good and he stated that I will shoot him some funds. That basically the end of there meeting and he left with Brent's former wife"

Brent went to see our mom and she is mad because he stole property from her.

Inmate stated that he had three (3) typed declarations from his mother, his brother Brian Scott and his own declaration.

The SHO elected to review the declarations submitted the sworn declarations as Inmate Janoe's continued statement

WITNESSES: Inmate chose not to have witnesses at this hearing.

(Continued on CDC-115 RVR Part C)

SIGNATURE OF WRITER J. Sigler, Correctional Lieutenant		DATE SIGNED 8/4/06	
<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	GIVEN BY: (Staff's Signature) J. Olivarez	DATE SIGNED 8/24/06	TIME SIGNED 2000

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DEPARTMENT OF CORRECTIONS
PAGE 3 OF 12

RULES VIOLATION REPORT - PART C

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/04/06
<input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER				

Declaration submitted by Inmate Janoe, for one Brian Scott Janoe which states in part:

1. I do have personal knowledge of the facts stated herein, of Bret Harvey Janoe contacting Bobby Shawn Janoe in the months of April to May 2006, and could testify to there truth if called as a witness.

2. Approximately the second week of April 2006, I ran into Bret's former wife by accident. I had not seen Bret in approximately twenty years. Bret's former wife took me to see Bret. Upon meeting Bret, he stated to me that he was doing good and staying out of trouble. Bret asked about Bobby Shawn Janoe, as how he was doing. Bret was distressed to learn Bobby Shawn Janoe was in prison at Calipatria state Prison. Bret stated that he would try and send Bobby Shawn Janoe some funds when he could.

3. To be honest, I did not believe Bret's comments as we talked. But I wanted to believe he had changed for the better, and gave him the benefit of the doubt, as to there truthfulness.

Declaration submitted by Inmate Janoe, for one Marilyn Janoe which states in part:

1. I do have personal knowledge of the facts stated herein, of Bret Harvey Janoe contacting Bobby Shawn Janoe in the months of April to May 2006, and could testify to there truth if called as a witness.

3. Approximately the third (third) week of April 2006 as I spoke to Bobby Shawn Janoe on the telephone, I mentioned that Brian had seen Bret and Bret said he was doing good and would try to send him some funds when he got a chance. Bobby Shawn Janoe was skeptical of Bret and really did not want to talk about Bret, as Bret had stolen his property twenty years earlier.

Declaration submitted by Inmate Janoe which states in part:

1. I do have personal knowledge of the facts stated herein and could testify to there truth if called as a witness.

2. Approximately the third (third) week of April 2006, I was talking with my mother, Marilyn Janoe, on the telephone. She mentioned that my brother Brian Scott Janoe had ran into Bret Harvey Janoe's former wife by accident; that brian went to visit with Bret; that Bret stated he was doing good; that Bret was distressed to learn Bobby Shawn Janoe was in prison at Calipatria State Prison; that Bret stated he would try to send some funds when he could.

3. I was skeptical about the news of Bret, and did not want to talk about Bret, as he had stolen my property about twenty years earlier and did disappear.

(Continued on CDC-115 RVR Part C)

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER J. Sigler, Correctional Lieutenant	DATE SIGNED 8/4/06
	GIVEN BY: (Staff's Signature) S. Olivarez	DATE SIGNED 8/24/06
		TIME SIGNED 2000

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